



LINCOLN COUNTY PLANNING & INSPECTIONS DEPARTMENT
302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092
704-736-8440 OFFICE 704-736-8434 INSPECTION REQUEST LINE 704-732-9010 FAX

To: Board of Commissioners
Planning Board

From: Randy Hawkins, Zoning Administrator

Date: October 21, 2016

Re: PD #2016-6
Queen City Land, LLC, applicant
Parcel ID# 85285 (19.2-acre portion)

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on November 7, 2016.

REQUEST

The applicant is requesting the rezoning of 19.2 acres from R-SF (Residential Single-Family) to PD-R (Planned Development-Residential) to permit an age-restricted subdivision with up to 72 lots for single-family detached homes. Under the Lincoln County Unified Development Ordinance, any proposed subdivision with 50 or more lots is subject to approval through the planned development process. The applicant is also proposing lots smaller in size than the minimum area permitted in the R-SF district.

A concept plan and guidelines for the proposed development, Laurelwood, have been submitted as part of the rezoning application and would serve as the master plan for the development if the rezoning request is approved. Laurelwood would be age-restricted in compliance with the Housing for Older Persons Act (HOPA), which requires that at least 80% of the homes be occupied by persons 55 years of age or older.

A traffic impact analysis is not required in this case because the proposed development would generate less than 100 peak hour trips.

SITE AREA AND DESCRIPTION

The property is located on the south side of Natalie Commons Drive about 1,200 feet west of N.C. 16 Business in Catawba Springs Township. It is part of a 34-acre undeveloped parcel that extends to Optimist Club Road. Only the northern portion of the parcel extending from Natalie Commons Drive to a creek is involved in the rezoning request.

The site is adjoined by property zoned I-G (General Industrial) and R-SF. Land uses in this area include residential, business and institutional. A Duke Energy transmission

right-of-way and the Villages of Denver residential development are located to the west of this property. Denver Canine Club, a dog boarding facility, is located on the opposite side of Natalie Commons Drive. Lake Norman Lutheran Church, Denver Defense and an undeveloped tract are located to the east.

This property is not located in a water-supply watershed. No portion of this property is located in a 100-year floodplain.

PLAN CONFORMANCE

This property is part of an area designated by the Lincoln County Land Use Plan as Suburban Residential, suitable for densities of upwards of 1-2 units per acre depending on the provision of utilities. The proposed subdivision would be served by county water and sewer. The proposed density is 3.75 homes per acre.

UDO COMPLIANCE

The UDO requires that a planned development include a minimum of 12.5% recreation and open space. Approximately 12.9% of the acreage in Laurelwood Park would be reserved as recreation and open space.

The proposed plan also complies with the UDO's subdivision standards for external access, internal connectivity, block length and cul-de-sac length.

STAFF'S RECOMMENDATION

Staff recommends that the rezoning request be approved. See proposed staff's proposed statement of consistency and reasonableness for rationale.

PD 2016-6 (Laurelwood) Capacity Statement

Public Schools

The proposed development of 72 single-family lots would be an age-restricted community and have little or no impact on the public school system.

Water and Sewer

The water system and sewer system are both believed to have adequate capacity to serve the proposed development. The Petitioner would have to bear the cost of constructing a sewer line from this property to connect to the existing system. It is the Petitioner's responsibility to incur all permit fees, availability fees, and infrastructure costs for providing water and sewer throughout the project. All infrastructure must meet the state of North Carolina's and Lincoln County's construction standards. The Petitioner understands that water and sewer availability must be approved by Lincoln County prior to development.



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704-736-8440 OFFICE 704-736-8434 INSPECTION REQUEST LINE 704-732-9010 FAX

Zoning Amendment Staff's Proposed Statement of Consistency and Reasonableness

Case No. **PD #2016-6**
Applicant **Queen City Land, LLC**
Parcel ID# **85285 (19.2-acre portion)**
Location **south side of Natalie Commons Drive, 1,200 feet east of N.C. 16
Business**
Proposed amendment **rezone from R-SF to PD-R to permit an age-restricted
subdivision with up to 72 lots for single-family detached
homes**

This proposed amendment **is consistent** with the Lincoln County Comprehensive Land Use Plan and other adopted plans in that:

This property is located in an area designated by the Land Use Plan as Suburban Residential, suitable for densities of upwards of 1-2 homes per acre depending on the provision of utilities. The proposed subdivision will be served by county water and sewer. The proposed density is 3.75 homes per acre.

This proposed amendment **is reasonable and in the public interest** in that:

This property is located close to existing residential areas. The plans for this subdivision meet all of the requirements of the Unified Development Ordinance. The proposed development will provide another housing option for older adults. Because the development will be age-restricted, the traffic impact will be lessened, compared to other subdivisions, and there will be little or no impact on the system.

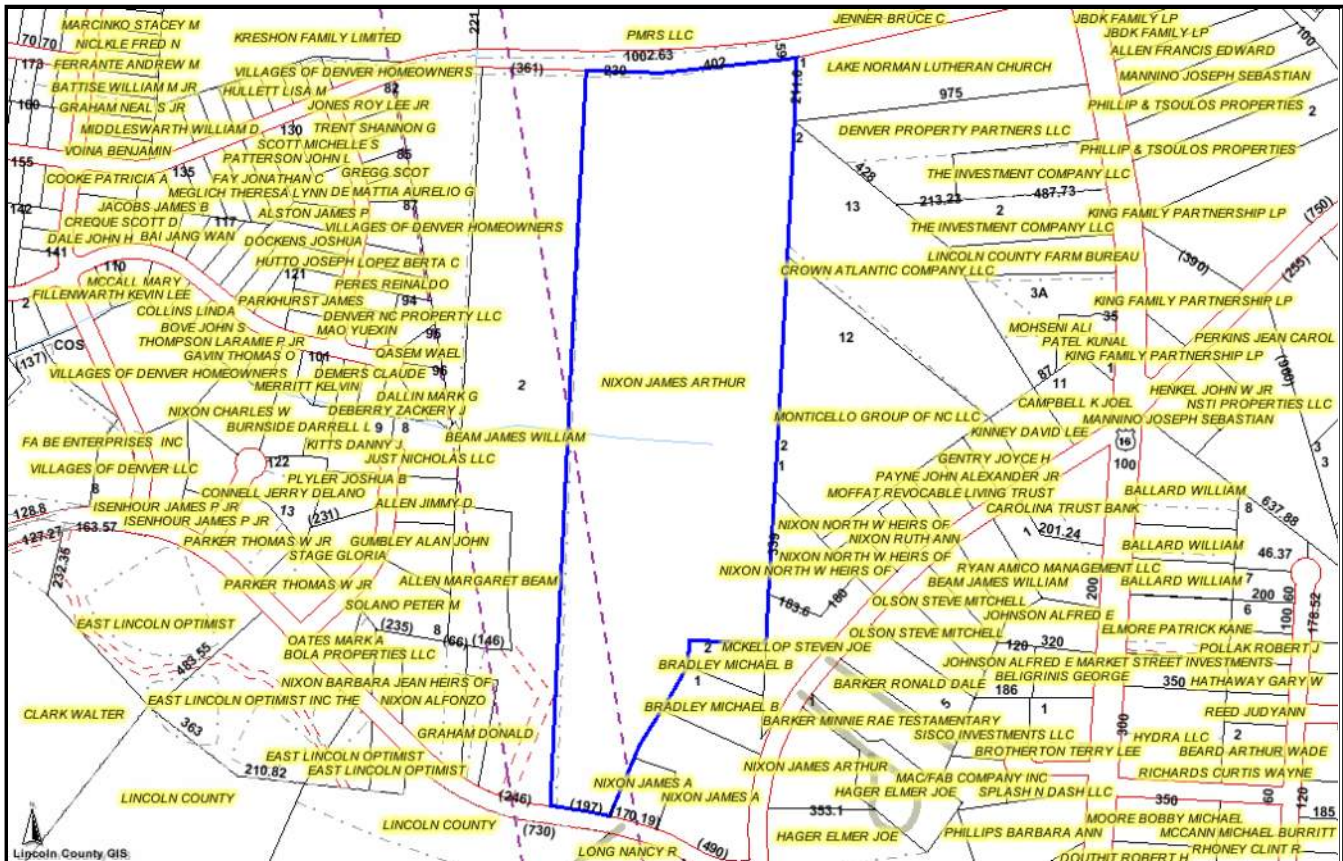
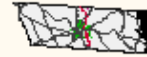


Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division

Lincoln County and its mapping contractors assume no legal responsibility for the information contained on this map. This map is not to be used for land conveyance. The map is based on NC State Plane Coordinate System 1983 NAD.

Date: 9/15/2016 Scale: 1 Inch = 600 Feet



PHOTOS

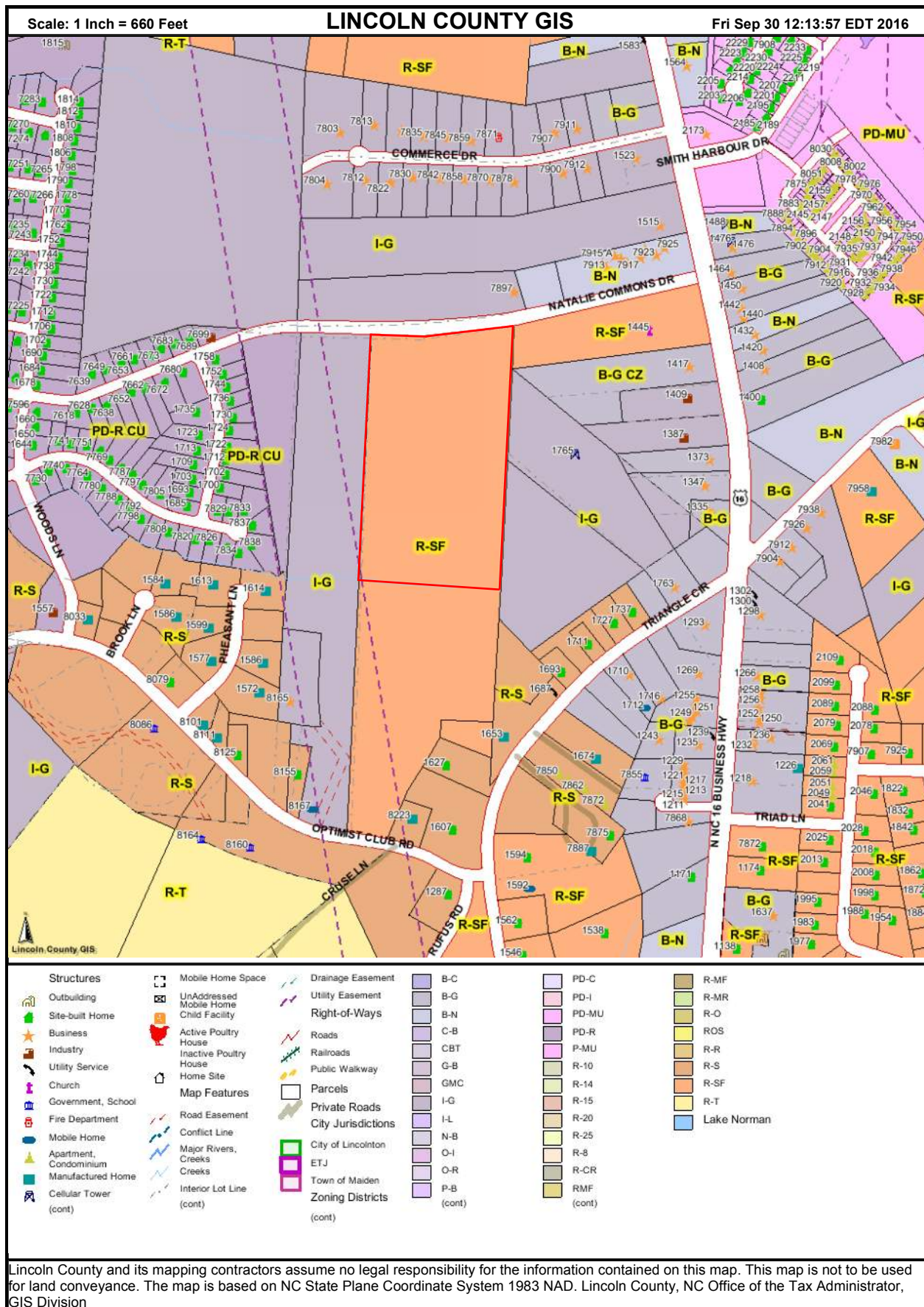


Photo Not Available

PARCEL INFORMATION FOR 4603-55-1393

| | | | |
|---|-------------------------|--------------------------|---|
| Parcel ID | 85285 | Owner | NIXON JAMES ARTHUR |
| Map | 4603-02 | Mailing Address | 1607 TRIANGLE CIR DENVER NC 28037-8034 |
| Account | 0088915 | Recorded | 11/13/2009 |
| Deed Value | 2159-645 | Sale Price | 0 |
| | Work in Progress | Previous Parcel | 32851 |
| ----- All values are for tax year 2016. ----- | | | |
| Description | S NIXON LD | Deed Acres | 0 |
| Address | OPTIMIST CLUB RD | Tax Acres | 33.85 |
| Township | CATAWBA SPRINGS | Tax/Fire District | EAST LINCOLN |
| Improvement | No Improvements | | |
| Zoning District | R-SF | Voting Precinct | WESTPORT (WP32) |
| Watershed Class | Not in a watershed | Calculated Acres | 33.86 |
| | | Sewer District | Not in the sewer district |
| | | | In the sewer District |
| 2000 Census County | | Tract | Block |
| | | 071100 | 2007 |
| | | 071100 | 2014 |
| | | 071100 | 2015 |
| Flood | Zone Description | Panel | |
| X | NO FLOOD HAZARD | 3710460300 | 33.86 |

PD #2016-6
Subject property is outlined in red





Planned Development Rezoning Application

Lincoln County Planning and Inspections Department
Zoning Administrator
302 N. Academy St., Lincolnton, NC 28092
Phone: (704)736-8440 Fax: (704)732-9010

PART I

Applicant Name: Queen City Land, LLC

Applicant Address: 11535 Carmel Commons Blvd, Suite 101, Charlotte, NC 28226

Applicant Phone Number: 704-363-1809

Property Owner Name: James Arthur Nixon (Parcel 88915)

Property Owner Address: 1607 Triangle Circle, Denver, NC 28037

Property Owner Phone Number _____

PART II

Property Location: Natalie Commons Drive, Denver, NC

Property ID (10 digits): 4603551393 (portion)

Property size: 19.2 acres

Parcel # (5 digits): 85285

Deed Book(s): 2159

Page(s): 643

PART III

Existing Zoning District: R-SF

Proposed Zoning District: PD-R

Briefly describe how the property is being used and any existing structures:
Mostly wooded, vacant land.

Briefly described the proposed planned development: Age restricted residential subdivision

***SEE PLANNING DEPT. FOR PLANNED DEVELOPMENT FEES.**

I hereby certify that all knowledge of the information provided for this application and attachments is true and correct to the best of my knowledge.

Applicant's Signature

Date

9/23/16

Meeting Minutes

Date/Time: Thursday, October 6, 2016 – 7:00 pm
Location: East Lincoln Community Center, 8160 Optimist Club Rd, Denver, NC
Purpose: Lincoln County community involvement meeting to provide information regarding Laurelwood subdivision proposal and to receive comments prior to public hearing.

Presenters: Robert Davis; David Lutz, P.E., CES Group Engineers, LLP

Introduction:

Robert Davis introduced Lincoln County officials and staff attending the Community Involvement meeting – Commissioner Oakes, Planning Board Chair Christine Poinsette and Randy Hawkins with Planning and Zoning. Laurelwood is a proposed age-restricted residential community, subject to HOPA (Housing for Older Persons Act) requirements, located in East Lincoln County. HOPA requirements are that 80% of the homes have at least one (1) resident over the age of 55. Laurelwood will feature 72 homes on 20+/- acres with access to Natalie Commons Drive. Essex Homes will both develop the site and build the houses. Mr. Davis notified attendees that the joint planning/commissioner meeting will be held November 7, 2016.

Mr. Lutz presented an overview of the community, which will meet or exceed all sections of the Lincoln County UDO and East Lincoln Development District requirements. This request would rezone the property to Planned Development-Residential. Mr. Lutz presented a slideshow describing the proposed development.

Key Features of the Community:

- Essex Homes has a customer service satisfaction rate of 96%.
- Landscaped entrance with decorative entrance monument.
- 5' sidewalk along all proposed streets and canopy trees along both sides.
- Community gathering area (0.8 +/- acres): Possible amenities include trails, park benches, pickle ball, community garden
- Project is proposed in two (2) phases, with phase 1 anticipated to begin in 2017 and phase 2 approximately 18 months later.
- 20' landscaped perimeter buffer

Additional Items from Slideshow:

1. Homes are expected to range from \$275K to \$350K+, ranging in size from 1,600 sf to 2,600 sf, as 1 story and 1.5 story homes.
2. Setback requirements – The proposed development includes a 20' Class B landscape buffer around the perimeter of the project. Residential lots will have front setbacks of 20', side setbacks of 5' (10' for corner lots), and a rear setback of 20'.
3. Depending on market demand, open space amenities noted above will be incorporated.
4. The proposed roadways will be designed to NCDOT standards, with curb and gutter and a closed storm drainage system, out falling to a proposed detention basin to control flow rates leaving the site.
5. Due to the limited traffic generated, a traffic study is not required. A signal warrant analysis is being performed for the intersection of Natalie Commons Drive and NC 16. The study will be available to the public once it's approved by the DOT.

Open Discussion

1. Connectivity – The proposed design provides future potential connectivity to adjacent parcels, as required by the Lincoln County UDO. A connected road system provides a more efficient means of access, ensures effective and efficient provision of emergency and other public services, and helps minimize the degradation of existing roads.
2. Traffic – Concerns were mentioned regarding the additional traffic this subdivision will add to the roads and the potential of its residents using the Villages of Denver as a cut through.

Due to this proposed subdivision being age-restricted, statistics show that the peak hour traffic drops from 1 car per household during the peak hour, for a subdivision such as the Villages of Denver, to a rate of 0.27 cars per household during the peak hour. Additional benefits of age-restricted communities include no pressure on schools, minimal additional pressure on roads and the residents tend to spend their funds more locally to where they live, such as the new Publix, local shops and restaurants. Due to this fact, it is the developers belief that the residents will not utilize the Villages of Denver as a cut through, but will access NC 16 from Natalie Commons.

A concern was raised that many individuals do not retire at the age of 55 and still travel during peak hour. While this holds true, statistics show traffic generated by age-restricted communities is significantly lower than non-age-restricted communities.

3. Rezoning – A question was asked why the project is being rezoned. Due to the subdivision exceeding 50 proposed homes, it is required to be rezoned Planned Development - Residential.

4. Overall County Growth – There were concerns that the area is growing too quickly and the road networks are not able to handle the additional growth. It was discussed that the County is not legally allowed to put a moratorium on development, though to address the issues of roadways, Commissioner Oakes presented a summary of NCDOT roadway improvements for Lincoln County. Some of the highlights included the following:
 - a. Improvements at the intersection of NC 16 and Unity Church Road/Triangle Circle
 - b. The intersection of NC 73 and NC 16 Bus
 - c. Widening of NC 73 from NC 16 Bus to West Catawba Ave.
 - d. Widening of NC 150 from Harvel Road to NC 16
 - e. Improvements to the intersection of NC 16 Bus and Hagers Ferry Road/N. Pilot Knob
 - f. Completion of the widening of NC 16 in Catawba County
 - g. Improvements along Campground Road and Will Proctor
 - h. Widening NC 16 Bus to multi-lanes from NC 73 to Fairfield Forest

It was further noted by the developer, that this community will be a great alternative to Trilogy, for residents who want to live closer to their children and grandchildren.

5. Construction vehicle access – Developer agrees that construction vehicles for this project will enter from NC 16 Bus and will not be permitted to drive through the Villages of Denver community.
6. Denver Canine Club – The owner of the Denver Canine Club expressed concern that lights from the facility will be an issue with the residents. The developer acknowledged the concern, though believes the lights will not be an issue. Furthermore, it is believed the Denver Canine Club will be a great asset to the community, as statistics show a high percentage of the residents are likely to own pets, and will utilize the facility.
7. Attendees were made aware of the joint Commissioner and Planning Board meeting scheduled for November 7, 2016.

PD-R REPORT
FOR
LAURELWOOD SUBDIVISION
NATALIE COMMONS DRIVE
LINCOLN COUNTY, NORTH CAROLINA

PREPARED BY:



CES GROUP ENGINEERS, LLP
274 N. Hwy 16, Suite 300
Denver, NC 28037
Phone: 704-489-1500
Firm License #: F-1240

September 14, 2016

**PD-R CONDITIONS
LAURELWOOD SUBDIVISION
NATALIE COMMONS DRIVE
LINCOLN COUNTY, NC**

1. PROJECT INFORMATION

Laurelwood Subdivision is a proposed single family, age-restricted, subject to HOPA (Housing for Older Persons Act) requirements, residential community on approximately 19.16+/- acres, located on the south side of Natalie Commons Drive. HOPA requirements are that at least one (1) person in 80% of the homes be over 55 years of age. The primary property is a portion of a land comprised of PID # 4603551393.

The property is currently zoned R-SF, with proposed zoning to be PD-R.

The proposed development currently shows 72 lots, based on an average lot size of 55' x 135'.

Access to the site will be from Natalie Commons Drive. Land uses surrounding the site include single family residential and vacant I-G parcels. A Lincoln Co. GIS Zoning Map is included for reference.

A community gathering area of nearly 1 acre anchors the community, with possible amenities to include trails, park benches, pickle ball and a community garden. An existing stream creates the southern border of the site.

Homes within the community will be offered for sale, ranging in size from approximately 1,600 square feet to approximately 2,600 square feet, predominantly ranch style, as dictated by the consumer or demand.

The property is not located in a flood zone or watershed.

2. GENERAL PROVISIONS

The PD-R Plan is intended to reflect a generalized arrangement of the site in terms of lot layout, street network, and open space areas. Final lot configuration, placement and size of individual site elements, streets alignments, etc. may be altered or modified within the limits of the Ordinance as described in Section 9.5.13, and the standards established within these conditional notes during the design development (platting) and construction phases. The Petitioner reserves the right to make minor modifications and adjustments to the approved PD-R Plan, including minor reconfiguring lots and street layouts, subject to staff approval, provided that the total number of residential units does not exceed the maximum permitted. Any major modifications will require resubmittal to the Board of Commissioners.

3. DEVELOPMENT STANDARDS

Pursuant to Sections 2.4.9 and 9.5 of the Lincoln County Unified Development Ordinance entitled Planned Development Districts and Planned Development Review respectively; the Petitioner seeks to obtain approval of the use of the following Development Standards concurrently with the approval of the Rezoning Petition. These standards, as established both by the conditional notes as set out below and as depicted on the Preliminary Concept Plan shall be followed for development of the property. Unless otherwise approved as part of these conditional notes, the Lincoln County Unified Development Ordinance shall prevail when developing the site.

A. PERMITTED USES

- 1) The project shall be limited to 72 detached single family, age-restricted residential dwellings and any incidental or accessory uses.
- 2) Uses on the Common Open Space (COS) may include landscaping, fences, walls, berms, pedestrian trails, recreational uses, entry signage, monuments, pickle ball, and community garden.

B. DENSITY

Gross residential density for the project is proposed at 3.75 units per acre. Open space areas shall be included in the calculations for gross residential density.

C. LOT STANDARDS

The proposed development includes a 20 Ft. (Class B) perimeter buffer. Residential lots will have the following setbacks:

| | |
|----------------|-------------------------|
| Front Setback: | 20 feet |
| Side Setback: | 5 feet (10' corner lot) |
| Rear Setback : | 20 feet |

Building height shall be limited to 45 feet and lot width shall be 50 feet minimum. Lot platting will meet Lincoln County subdivision regulations.

D. GENERAL SITE DESIGN

The following items will be offered as part of this development:

- 1) Streets within the subdivision shall be designed per NCDOT standards, utilizing a curb and gutter typical section. Roadways will be dedicated to NCDOT for maintenance once density requirements are met.
- 2) All fencing shall be consistent in nature and subject to review and approval by the property management association and shall respect all sight triangles. Front yard fencing is prohibited. Rear and side yard fencing, including fencing on corner lots, shall not exceed 5' in height. Fence materials may include wood, metal, or decorative PVC.
- 3) The development will contain the following amenity features. These proposed amenity areas will be installed concurrently with the lots immediately surrounding them.
 - a. Park benches
 - b. Landscape areas
 - c. Enhanced entry
 - d. A signage plan shall be submitted for the development at the time construction drawings are prepared for the first section of the development. All signage shall conform to standards of the Lincoln County Unified Development Ordinance. Signage shall be monument style and shall complement the architectural characteristics of the neighborhood.
- 4) Canopy street trees shall be placed at a rate of one (1) tree per lot. Any existing trees in excess of 6 caliper inches within 20 feet of the right of way shall be credited for one required tree to be planted. Intersection sight triangles and proposed driveway locations may vary the placement of street trees.
- 5) Decorative lighting shall be used through the project.
- 6) Mail box kiosks locations will be reviewed by the Postmaster.
- 7) Dry utilities for telephone, cable TV, electricity, and natural gas will be provided by local utility companies. Utilities within the community shall be placed underground. The main feed lines and transformers from the main road may be located above ground.
- 8) Garbage collection will be provided by a private service and included in homeowner association dues.
- 9) Open Space
 - a. Common open space will be provided as generally depicted on the PD-R Plan, meeting the Lincoln County UDO requirement of 12.5%.
 - b. A portion of the open space will be active open space.

- c. The project will offer a 20 Ft. Class B perimeter buffers as depicted on the Preliminary Development Concept Plan.

E. STORMWATER COMPLIANCE

The development is not subject to permanent stormwater BMP measures, but will ensure offsite erosion does not occur from project runoff. Stream buffers shall be provided along all jurisdictional streams in accordance with NCDENR and Lincoln County requirements.

F. ESTABLISHMENT OF A PROPERTY ASSOCIATION

A Property Management Association shall be established, subject to HOPA requirements, and will be responsible for maintaining all rights-of-way landscaping, signs, amenity features, and common open space areas. The documents covering the structure of the association shall be filed with the recorded final plat.

G. RESTRICTIVE COVENANTS

Restrictive Covenants will be created and recorded prior to final plat recordation, to establish, among other items, permitted uses and maintenance responsibility of the property management association. Restrictive covenants will include language that ensures stream buffers, perimeter buffers, and setback areas are protected.

H. VEHICULAR ACCESS AND ROAD IMPROVEMENTS

- 1) Vehicular access:
 - a. Two access points will be provided from Natalie Commons Drive.
- 2) Improvements to Existing Roads: A Traffic Impact Analysis (TIA) will not be required for this development due to the low peak hour trip generation of the age-restricted community. The developer is performing a signal warrant analysis for the intersection of Natalie Commons Drive and Hwy Business 16.

I. CONSTRUCTION SCHEDULE AND PHASING

The development of the site will be completed in no more than two (2) phases, with phase 1 anticipated to begin in 2017.

J. MODEL HOMES/SALES OFFICES

Model homes may be constructed within residential areas at the developer's discretion. Mobile temporary sales offices shall be allowed at the developer's discretion and shall be subject to any special permits required by Lincoln County. All models shall have an

approved all weather surface (stone, asphalt, etc.) prior to the issuance of a Certificate of Occupancy.

K. WATER AND SEWER AVAILABILITY

The property is within the Lincoln County Sewer District and Lincoln County Water District. The Petitioner understands that water and sewer availability must be approved by Lincoln County prior to development. It is the Petitioner's responsibility to incur all permit fees, availability fees, infrastructure costs for providing the water and sewer throughout the project for all buildings. The Petitioner will comply with all the County's water and sewer standards.

Water is proposed to be served by an existing 8" water along the north side of Natalie Commons. Two (2) potential connection points exist for sewer - an existing 18" gravity sewer along northbound NC 16 Bus or an existing 18" gravity along Triangle Circle.

L. APPLICABLE ORDINANCES

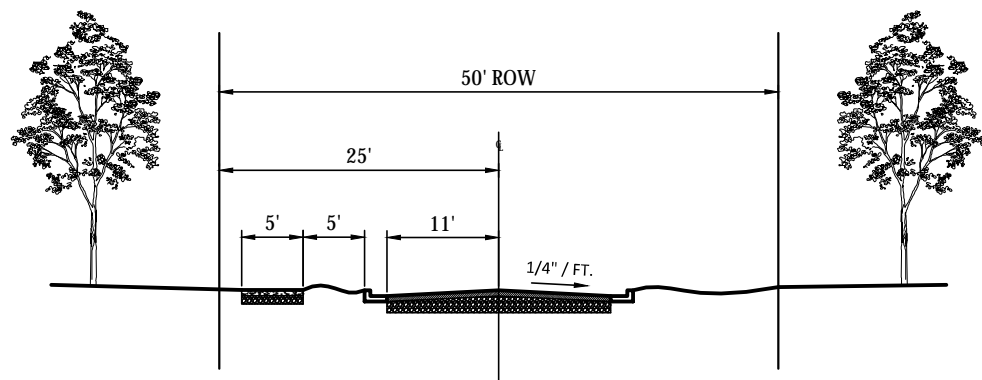
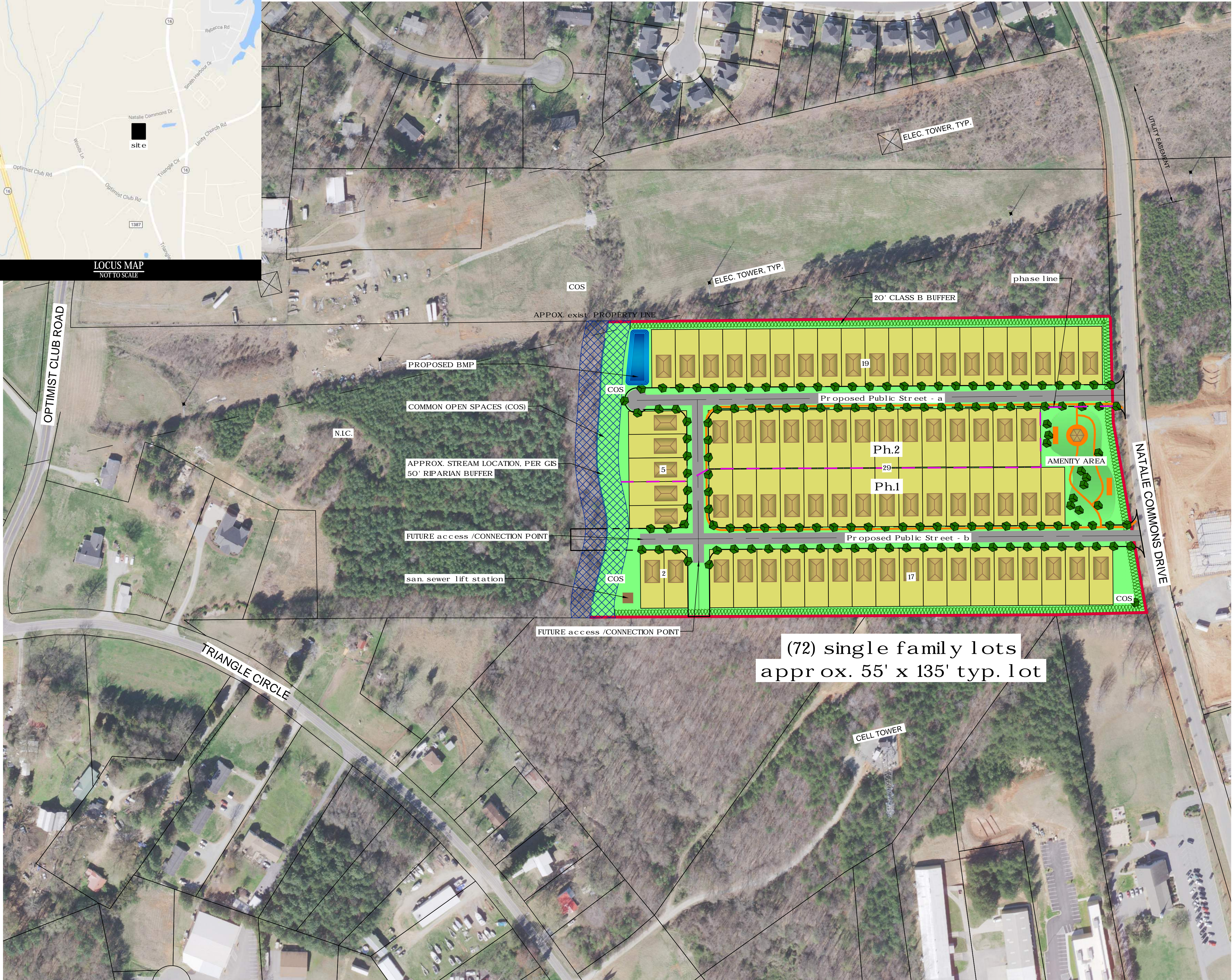
Development will be subject to the standards and requirements of the UDO in effect at the date of submission of the application for rezoning.

M. BINDING EFFECT

All conditions applicable to the development of the property approved with this rezoning, unless amended by the manner provided in the UDO, shall be binding to the Petitioner and subsequent owners of the Site and their assigns.

N. AMENDMENTS TO THE APPROVED CONDITIONAL DISTRICT PLAN

It is understood that the owner of the property must apply for any future amendments to the Development Standards, Conditional Notes and in accordance to the provisions of the UDO, Section 9.5.13.



TYPICAL ROADWAY SECTION - NCDOT FIG. 2A
NOT TO SCALE

TYP. ROADWAY
50' ROW
22' P.V.M.T. W/ CURB & GUTTER
(1) street tree per lot
sidewalks (one side)

SEAL:

| REVISIONS | | |
|-----------|---------------|----------|
| NO. | ISSUE: | DATE: |
| 1 | COUNTY REVIEW | 09/22/16 |

CES GROUP
ENGINEERS, LLP
NC FIRM LICENCE# F-1240
274 N. HWY. 16, SUITE 300
DENVER, NC 28037
T 704. 489.1500
www.ces-group.net

OWNER:

PROJECT DESCRIPTION:

LAURELWOOD
NATALIE COMMONS DRIVE
LINCOLN COUNTY (PARCEL ID # 4603551393)
DENVER, NORTH CAROLINA

DRAWN BY:
TFC

CHECKED BY:
DSL

PROJECT NO:
-

COMMENTS:

ORIGINAL PROJECT DATE:
07-20-16

SCALE:
1" = 120'

DRAWING TITLE:
ZONING EXHIBIT
PRELIMINARY
MASTER PLAN

DRAWING NUMBER:

MP #1